



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

In England and America a judge's position under the common law is so different from that in Germany that the subject of this ingenious work must seem rather unreal to English-speaking readers. Still a few words of general criticism may be in place. Dr. Brütt has not made good the claim of his subtitle; whatever the value of his work from the point of view of the jurist, it fails as a contribution to the doctrine of scientific method. The fault lies in failure to establish a real connection between principles and conclusions. We are given the Kantian premises, and we are given the conclusions about "richtiges Recht" and "latent values"; but nothing could be flimsier than the pretense that the latter follow from the former. It may be doubted whether the ideal, which floated before Leibnitz in his youth, of developing theory of jurisprudence from logic, is more than a dream; at any rate Dr. Brütt does nothing to dispel the doubt. If anything, he confirms it, since his system is self-contradictory in a vital point. For the judgment that any law is "right" is surely an ethical judgment, even on Dr. Brütt's definition of "right"; but if so it cannot, according to the philosophy of section one, be allowed objective validity; and hence there is no reason for preferring it to the "Gefühlswissenschaft," which was disqualified solely on the ground of subjectivity.

S. WATERLOW.

Rye, England.

THE CONCEPTS OF EQUALITY IN THE WRITINGS OF ROUSSEAU, BENTHAM AND KANT. By Alfred Tuttle Williams, Ph. D., Columbia. New York: Teachers College, 1907.

Mr. Williams has contributed a valuable item to the theory of ethics, and therefore to the theory of education. Of the concept of equality one has to ask, with Aristotle, *in what respects?* There is no equality of hereditary dispositions, talents or any kind of natural endowment. There is no equality of happiness. For Plato equality was of opportunity. For Aristotle, quite similarly, it was of justice. For the Hebrew nation it was of the moral nature. For Christianity it had a basis in the conception of a spiritual sonship of God. Having touched lightly but adequately on these ideas, Mr. Williams advances to modern political and ethical theory, halting for

a time with Hobbes and Locke, and more leisurely with Rousseau, in order to estimate the value and limits of the theory that men are by nature endowed with equal and inalienable rights. The conception of equality in the "Discourses," the "Émile," the "New Heloise" and the "Social Contract" of Rousseau is discussed under three headings: (1) Equality is an ideal primitive world before the beginning of civilization; (2) equality on the basis of feeling which is at least an implied ideal in the "Émile" and the "New Heloise"; and (3) equality in the social state, the supposition of the social contract.

Bentham's "greatest happiness" principle aimed at an empirical if not a natural equality, especially on the supposition that "every one is to count as one, and no one for more than one." For Kant, on the other hand, men were equal as rational beings; that is to say, the basis of equality lay in reason, not feeling. The contributions of Rousseau, Bentham and Kant to a theory of equality were factors in the modern conception of equal personal worth. *Personality* is wider than rationality, deeper than sentience; it implies the capacity to seek an idea of the common good; it involves the notion of an organism of society in which the parts are not merely means to the whole, nor the whole to the parts, but all are ends in themselves.

Mr. Williams finds these principal forms in which equality as a social idea appears, political equality, civil or legal equality, economic equality or equality in wealth, or at least in opportunity, religious equality, which allows to everyone the privilege to believe and worship as he chooses, and finally moral equality. But there is no absolute equality. "There are never in nature two beings which are exactly alike and in which it is not possible to find a difference" (Leibnitz). Things are therefore only equal in abstraction, in idea or in respect to their common elements. Equality is therefore essentially an ethical concept. "The ethical idea that each individual is a person to whom must be accredited in some sense absolute worth, at least means to the educator that each child endowed with capacities for social life is an individual problem to be studied, and means to the state that each child is worthy of education."

PERCIVAL R. COLE.

Teachers College, Columbia University.